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The Suppression of Unlawful Acts Against Safety of Maritime Navigation and Fixed Platforms on Continental Shelf Act, 2002

(ACT NO. 69 OF 2002)

[*As on the* 15*th September,* 2026]

LIST OF ABBREVIATIONS USED

G.S.R.	*for*	General Statutory Rules.
S.O.	,,	Statutory Order.
Notifn.	,,	Notification.

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THE SUPPRESSION OF UNLAWFUL ACTS AGAINST SAFETY OF MARITIME NAVIGATION AND FIXED PLATFORMS ON CONTINENTAL SHELF ACT, 2002

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THE SUPPRESSION OF UNLAWFUL ACTS AGAINST SAFETY OF MARITIME NAVIGATION AND FIXED PLATFORMS ON CONTINENTAL SHELF ACT, 2002

ACT NO. 69 OF 2002

[20*th December*, 2002.]

An Act to give effect to the International Maritime Organisation Convention for Suppression of Unlawful Acts Against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf and for matters connected therewith.

WHEREAS a Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf were signed at Rome on the 10th day of March, 1988;

AND WHEREAS India, having acceded to the said Convention and the Protocol, should make provisions for giving effect thereto and for matters connected therewith.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent, application and commencement.—(*1*) This Act may be called the Suppression of Unlawful Acts Against Safety of Maritime Navigation and Fixed Platforms on Continental Shelf Act, 2002.

(*2*) It extends to the whole of India including the limit of the territorial waters, the continental shelf, the exclusive economic zone or any other maritime zone of India within the meaning of section 2 of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976 (80 of 1976).

(*3*) Save as otherwise provided, it shall apply—

(*a*) to any offence under section 3 committed outside India by any person;

(*b*) to a ship, if that ship is navigating or scheduled to navigate into, through or from waters beyond the outer limits of the territorial waters of India, or the lateral limits of its territorial waters with adjacent States;

(*c*) when the offence is committed on board a ship in the territorial waters of India or against a fixed platform located on the Continental Shelf of India.

(*4*) Notwithstanding anything contained in sub-section (*3*), this Act shall apply only to offences committed by an offender or alleged offender,—

(*a*) when such an offender is found in the territory of a Convention State;

(*b*) when such an offender is found in the territory of a Protocol State in whose internal water or territorial waters or continental shelf the fixed platform is located; or

(*c*) when such an offender is found in the territory of a State other than the State referred to in clause (*a*) or clause (*b*).

(*5*) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "Code" means the Code of Criminal Procedure, 1973 (2 of 1974);

1. 1st February, 2003, *vide* notification No. S.O. 115(E), dated 30th, January, 2003, *see* Gazette of India, Extraordinary, Part II, sec. 3(*ii*).

(*b*) "Continental Shelf of India" shall have the meaning assigned to it in the Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976 (80 of 1976);

(*c*) "Convention" means the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, signed at Rome on the 10th day of March, 1988 as amended from time to time;

(*d*) "Convention State" means a State Party to the Convention;

(*e*) "fixed platform" means an artificial island, installation or structure permanently attached to the seabed for the purpose of exploration for, or exploitation of resources or for other economic purposes;

(*f*) "Protocol" means the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf adopted at Rome on the 10th day of March,1988 as amended from time to time;

(*g*) "Protocol State" means a State Party to the Protocol;

(*h*) "ship" means a vessel of any type whatsoever not permanently attached to the seabed and includes dynamically supported craft, submersibles, or any other floating craft.

CHAPTER II

OFFENCES

3. Offences against ship, fixed platform, cargo of a ship, maritime navigational facilities, etc.—(*1*) Whoever unlawfully and intentionally—

(*a*) commits an act of violence against a person on board a fixed platform or a ship which is likely to endanger the safety of the fixed platform or, as the case may be, safe navigation of the ship shall be punished with imprisonment for a term which may extend to ten years and shall also be liable to fine;

(*b*) destroys a fixed platform or a ship or causes damage to a fixed platform or a ship or cargo of the ship in such manner which is likely to endanger the safety of such platform or safe navigation of such ship shall be punished with imprisonment for life;

(*c*) seizes or exercises control over a fixed platform or a ship by force or threatens or in any other form intimidates shall be punished with imprisonment for life;

(*d*) places or causes to be placed on a fixed platform or a ship, by any means whatsoever, a device or substance which is likely to destroy that fixed platform or that ship or cause damage to that fixed platform or that ship or its cargo which endangers o is likely to endanger that fixed platform or the safe navigation of that ship shall be punished with imprisonment for a term which may extend to fourteen years;

(*e*) destroys or damages maritime navigational facilities or interferes with their operation if such act is likely to endanger the safe navigation of a ship shall be punished with imprisonment for a term which may extend to fourteen years;

(*f*) communicates information which he knows to be false thereby endangering the safe navigation of a ship shall be punished with imprisonment for a term which may extend to fourteen years and shall also be liable to fine;

(*g*) in the course of commission of or in attempt to commit, any of the offences specified in clauses (*a*) to (*d*) in connection with a fixed platform or clauses (*a*) to (*f*) in connection with a ship—

(*i*) causes death to any person shall be punished with death;

(*ii*) causes grievous hurt to any person shall be punished with imprisonment for a term which may extend to fourteen years;

(*iii*) causes injury to any person shall be punished with imprisonment for a term which may extend to ten years;

(*iv*) seizes or threatens a person shall be punished with imprisonment for a term which may extend to ten years; and

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(*v*) threatens to endanger a ship or a fixed platform shall be punished with imprisonment for a term which may extend to two years.

(*2*) Whoever attempts to commit, or abets the commission of, an offence punishable under sub-section (*1*) shall be deemed to have committed such offence and shall be punished with the punishment provided for such offence.

(*3*) Whoever unlawfully or intentionally threatens a person to compel that person to do or refrain from doing any act or to commit any offence specified in clause (*a*), clause (*b*) or clause (*c*) of sub-section (*1*), if such threat is likely to endanger the safe navigation of a ship or safety of a fixed platform shall be punished with the punishment provided for such offence.

(*4*) Where any act referred to in sub-section (*1*) is committed,—

(*a*) against or on board—

(*i*) an Indian ship at the time of commission of the offence; or

(*ii*) any ship in the territory of India including its territorial waters;

(*b*) by a stateless person,

such act shall be deemed to be an offence committed by such person for the purposes of this Act.

Explanation.—In this sub-section, the expression "stateless person" means a person whose habitual residence is in India but he does not have nationality of any country.

(*5*) Where an offence under sub-section (*1*) is committed and the person accused of or suspected of the commission of such offence is present in the territory of India and is not extradited to any Convention State or Protocol State, as the case may be, such person shall be dealt with in India in accordance with the provisions of this Act.

(*6*) On being satisfied that the circumstances so warrant, the Central Government or any other authority designated by it shall take the person referred to in sub-section (*5*) and present in the territory of India into custody or take measures, in accordance with the law for the time being in force, to ensure his presence in India for such time as is necessary to enable any criminal or extradition proceeding to be instituted:

Provided that when a person is taken into custody under this sub-section, it shall be necessary for the Central Government or any other authority designated by it to notify the Government of any Convention State or Protocol State which have also established jurisdiction over the offence committed or suspected to have been committed by the person in custody.

(*7*) Subject to the provisions of sub-section (*8*), where an offence under sub-section (*1*) is committed outside India, the person committing such offence may be dealt with in respect thereof as if such offence had been committed at any place within India at which he may be found.

(*8*) No court shall take cognizance of an offence punishable under this section which is committed outside India unless—

(*a*) such offence is committed on a fixed platform or on board a ship flying the Indian flag at the time the offence is committed;

(*b*) such offence is committed on board a ship which is for the time being chartered without crew to a lessee who has his principal place of business, or where he has no such place of business, his permanent residence, is in India; or

(*c*) the alleged offender is a citizen of India or is on a fixed platform or on board a ship in relation to which such offence is committed when it enters the territorial waters of India or is found in India.

4. Conferment of powers of investigation.—(*1*) Notwithstanding anything contained in the Code, for the purpose of this Act, the Central Government may, by notification in the Official Gazette, confer on any gazetted officer of the Coast Guard or any other gazetted officer of the Central Government powers of arrest, investigation and prosecution exercisable by a police officer under the Code.

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(*2*) All officers of police and all officers of Government are hereby required and empowered to assist the officer of the Central Government referred to in sub-section (*1*), in the execution of provisions of this Act.

Explanation.—For the purpose of this section, "officer of the Coast Guard" means an officer as defined in clause (*q*) of section 2 of the Coast Guard Act, 1978 (30 of 1978).

5. Designated Courts.—(*1*) For the purpose of providing for speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, specify a Court of Session to be a Designated Court for such area or areas as may be specified in the notification.

(*2*) Notwithstanding anything contained in the Code, a Designated Court shall, as far as practicable, hold the trial on a day-to-day basis.

6. Offence triable by Designated Court.—(*1*) Notwithstanding anything contained in the Code,—

(*a*) all offences under this Act shall be triable only by the Designated Court specified under sub-section (*1*) of section 5;

(*b*) where a person accused of or suspected of the commission of an offence under this Act is forwarded to a Magistrate under sub-section (*2*) or sub-section (*2A*) of section 167 of the Code, such Magistrate may authorise the detention of such person in such custody as he thinks fit for a period not exceeding fifteen days in the whole where such Magistrate is a Judicial Magistrate and seven days in the whole where such Magistrate is an Executive Magistrate:

Provided that where such Magistrate considers,—

(*i*) when such person is forwarded to him as aforesaid; or

(*ii*) upon or at any time before the expiry of the period of detention authorised by him,

that the detention of such person is unnecessary, he shall order such person to be forwarded to the Designated Court having the jurisdiction;

(*c*) the Designated Court may exercise, in relation to the person forwarded to it under clause (*b*), the same power which a Magistrate having jurisdiction to try a case may exercise under section 167 of the Code, in relation to an accused person in such case who has been forwarded to him under that section;

(*d*) a Designated Court may, upon a perusal of a complaint made by an officer of the Central Government or the State Government, as the case may be, authorised in this behalf, take cognizance of that offence without the accused being committed to it for trial.

(*2*) When trying an offence under this Act, a Designated Court may also try an offence other than an offence under this Act, with which the accused may, under the Code, be charged at the same trial.

7. Application of Code to proceedings before a Designated Court.—Save as otherwise provided in this Act, the provisions of the Code shall apply to the proceedings before a Designated Court and the person conducting a prosecution before a Designated Court shall be deemed to be a Public Prosecutor.

8. Provision as to bail.—(*1*) Notwithstanding anything in the Code, no person accused of an offence punishable under this Act shall, if in custody, be released on bail or on his own bond unless—

(*a*) the Public Prosecutor has been given an opportunity to oppose the application for such release; and

(*b*) where the Public Prosecutor opposes the application, the Court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.

(*2*) The limitations on granting of bail specified in sub-section (*1*) are in addition to the limitations under the Code or any other law for the time being in force on granting of bail.

(*3*) Nothing contained in this section shall be deemed to affect the special powers of the High Court regarding bail under section 439 of the Code.

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CHAPTER III

MISCELLANEOUS

9. Provisions as to extradition.—(*1*) The offences under section 3 shall be deemed to have been included as extraditable offences and provided for in all the extradition treaties made by India with Convention States or Protocol States and which extend to, and are binding on, India on the date of commencement of this Act.

(*2*) For the purposes of the application of the Extradition Act, 1962 (34 of 1962) to offences under this Act, any ship registered in a Convention State or Protocol State shall, at any time while that ship is plying, be deemed to be within the jurisdiction of that Convention State or Protocol State, whether or not it is for the time being also within the jurisdiction of any other country.

10. Contracting parties to Convention or Protocol.—The Central Government may, by notification in the Official Gazette, certify as to which are the Convention States or Protocol States and to what extent such States have availed themselves of the provisions of the Convention or Protocol, as the case may be, and any such notification shall be conclusive evidence of the matters certified therein.

11. Power to treat certain ships to be registered in Convention States.—If the Central Government is satisfied that the requirements of the Convention have been satisfied in relation to any ship, it may, by notification in the Official Gazette, direct that such ship shall, for the purposes of this Act, be deemed to be registered in such Convention State as may be specified in the notification.

12. Previous sanction necessary for prosecution.—No prosecution for an offence under this Act shall be instituted except with the previous sanction of the Central Government.

13. Presumptions as to offences under section 3.—In a prosecution for an offence under sub-section (*1*) of section 3, if it is proved—

(*a*) that the arms, ammunition or explosives were recovered from the possession of the accused and there is reason to believe that such arms, ammunition or explosives of similar nature were used in the commission of such offence;

(*b*) that there is evidence of use of force, threat of force or any other form of intimidation caused to the crew or passengers in connection with the commission of such offence; or

(*c*) that there is evidence of an intended threat of using bomb, fire, arms, ammunition, or explosives or committing any form of violence against the crew, passengers or cargo of a ship or fixed platform located on the Continental Shelf of India,

the Designated Court shall presume, unless the contrary is proved, that the accused had committed such offence.

14. Protection of action taken in good faith.—(*1*) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act.

(*2*) No suit or other legal proceeding shall lie against the Central Government for any damage caused or likely to be caused for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act.

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